

Department of Public Health  
and Human Services

Section:  
APPLICATION PROCESSING

TANF CASH ASSISTANCE

Subject:  
Failure/Refusal to Comply

**Supersedes:** TANF 104-1 (01/01/07)

**References:** ARM 37.78.102, .201, .206, .216, and .227

**GENERAL RULE**--The applicant, participant, or caretaker relative is required to provide information, verification, sign documents, participate in interviews, report changes, and cooperate with all program requirements before an eligibility determination can be made and benefits issued. The individual or his/her authorized representative is allowed a specified amount of time in which to fulfill the requirements. When the individual **fails or refuses**, without good cause, to provide information necessary to determine eligibility for the household, that individual's action affects the entire assistance unit's eligibility.

**► FAILS OR  
REFUSES TO  
COMPLY WITH A  
NON-FINANCIAL  
REQUIREMENT**

When the TANF cash assistance applicant/participant/caretaker relative **fails or refuses**, without good cause, to fulfill certain **non-financial** eligibility requirements (whether verbally, in writing, or through lack of action), the Eligibility Case Manager must deny or terminate benefits **for the entire assistance unit**. Timely notice is required, unless it meets one of the exceptions to timely notice as outlined in TANF 1503-1. The action taken is documented in TEAMS Case Notes (CANO).

**NOTE:**      **The list of non-financial requirements is in TANF 300.**

**EXAMPLES**

1. Two parent household, mom negotiates a FIA/EP but dad fails or refuses to negotiate a FIA/EP. The household is ineligible.
2. Unmarried teen mom living with child and father of her child. Teen mom is not approved to live independently and she is not living with a specified caretaker relative. The household is ineligible.
3. Single parent household with two children, the Eligibility Case Manager discovers that mom has been working for the last six months and did not report this information. Wage verification requested from the household to determine the overpayment is never provided and case is closed. Six months later the household reapplies for assistance. Wage verification is again requested to establish the overpayment. The household fails or refuses without good cause to provide the information. The application is denied.
4. Single parent household with a 16-year-old child. The Eligibility Case Manager requests verification that the 16-year-old is

attending school to determine if the 16-year-old is required to negotiate a FIA/EP. The household fails or refuses without good cause to provide the verification. The household is ineligible.

5. Single parent household. Mom fails or refuses to negotiate a FIA/EP. The household is ineligible.
6. Two parent household. One parent is a convicted drug felon who refuses to provide verification that he is in compliance with his probation/parole requirements. The household is ineligible, even though the other parent is complying with all eligibility requirements.

## GOOD CAUSE

If the household has good cause for failing to comply with a non-financial eligibility requirement and they are making a good faith effort to comply, the individual is coded 'DQ' until they are able to comply or the good faith effort stops. An eligibility determination is made for the remaining household members if all necessary information is provided.



**NOTE:** This does not apply to households who are applying for extended benefits. Extended benefits cannot be approved for any members of the household until eligibility is established for all required household members.



If the individual who is coded 'DQ' is a work-eligible individual who is required to negotiate a Family Investment Agreement/Employability Plan (FIA/EP), benefits for the remaining household members cannot be issued until this eligibility requirement is met. Benefits in the initial month will be pro-rated based on the start date of benefits. (TANF 103-5)

**EXAMPLE:** Mom and two children apply for TANF on 8/14/07. Mom is not able to provide proof of citizenship. She was born in Ohio and has sent off a request for a birth certificate. All other information necessary to determine eligibility is provided. Mom is coded 'DQ' on SEPA but since she is a work-eligible individual, she must negotiate a FIA/EP prior to benefits being issued for the remainder of the household. She negotiates her FIA on 8/14/07 and is referred to WoRC on that day. She negotiates her EP on 8/15/07. Since the remaining household members are eligible for assistance, and Mom negotiated her EP within three working days of being referred to WoRC; benefits are pro-rated from 8/14/07 – 8/31/07.



If Mom turns in her birth certificate within 30 days following

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application she is added to the assistance unit and benefits are supplemented from 8/14/07 – 8/31/07. If Mom turns in her birth certificate after the 30-day window, she is added to the assistance unit the first day of the following month.

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